

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DWAYNE EICHLER,

Plaintiff,

No. CIV S-04-1108 GEB JFM P

vs.

CDC OFFICER SHERBIN, et al.,

Defendants.

ORDER

On December 14, 2006, the instant action was stayed pending resolution of interlocutory appeals. On January 19, 2007, plaintiff's interlocutory appeal was denied; however, defendants' interlocutory appeal is still pending.

Since this court stayed this action, plaintiff has filed seven documents in this action. Only one of those, the January 4, 2007 notice of the appellate decision, was filed in response to this court's December 14, 2006 order. Plaintiff is advised that the Court of Appeals for the Ninth Circuit will direct this court to prepare transcripts as it deems appropriate. Plaintiff need not file copies of motions directed to the appellate court in this court. Finally, plaintiff is advised that, pursuant to the stay order, this court will not respond to any further requests filed during the pendency of the interlocutory appeal. Plaintiff should refrain from filing any further documents in this action until the appellate court rules on the interlocutory appeal.

Accordingly, IT IS HEREBY ORDERED that plaintiff's December 14, 2006 and December 19, 2006 requests are denied without prejudice; plaintiff shall refrain from filing any further documents in this action pending resolution of the interlocutory appeal.

DATED: January 30, 2007.

  
UNITED STATES MAGISTRATE JUDGE

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